

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RONALD KEENE	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. 02-CV-3523
	:	
CAMPUS TELEVIDEO, LAMONT DIGITAL	:	
SYSTEMS, INC., and EDWARD M.	:	
LAMONT	:	
	:	
Defendants.	:	

MOTION FOR LEAVE TO AMEND

Plaintiff moves for leave to amend the Complaint herein and avers in support thereof the following:

1. Through an error in dictation and transcription, due to haste in filing the Complaint herein, the word tenure was transcribed as ten year , and became a significant allegation in plaintiff s Complaint. (Complaint attached hereto as Exhibit B).

2. After answering interrogatories, when plaintiff was consulted, counsel realized the error, and now seeks to correct it, by amending the Complaint to state that plaintiff was promised tenure in order to achieve sales objectives, upon which compensation would be contingent; rather than stating, erroneously, that plaintiff was promised ten years .

3. To avoid additional prejudice to the defendants, who had

filed a motion to dismiss, based on employment at will, in which the term ten year versus tenure may have been a factor in the Court's decision, plaintiff agrees that, pursuant to the Rules and otherwise, defendants may renew their Motion to Dismiss, or ask for reconsideration, if they believe the difference between tenure and ten years is significant to the Court's decision denying the Motion.

4. Defendants have demanded that plaintiff move to amend, but have refused plaintiff's request to agree to the amendment, as a result of which this Motion is being filed in this fashion.

5. Plaintiff sincerely regrets this inadvertent error, and will take additional measures to insure against any other such mistakes.

WHEREFORE, plaintiff prays that he be permitted to file the Amended Complaint, attached hereto as Exhibit A.

ROBERT J. SUGARMAN
Counsel for Plaintiff

OF COUNSEL:

SUGARMAN & ASSOCIATES
11th Floor Robert Morris Building
100 North 17th Street
Philadelphia, PA 19103
215-864-2500

DATED: August 21, 2003